

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ARTHUR SUMERLIN,

Plaintiff,

v.

BARBARA BIEN,

Defendant.

Case No. 1:17-cv-459

HONORABLE PAUL L. MALONEY

ORDER ADOPTING REPORT AND RECOMMENDATION

This is a prisoner civil rights action filed pursuant to 42 U.S.C. § 1983. The matter was referred to the Magistrate Judge, who issued a Report and Recommendation on March 9, 2018, recommending that this Court grant Plaintiff's motion for voluntary dismissal under Rule 41(a)(2) of the Federal Rules of Civil Procedure (ECF No. 19), and grant Plaintiff's motion for leave to amend/correct his complaint (ECF No. 16). The Report and Recommendation was duly served on the parties. No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Therefore,

IT IS HEREBY ORDERED that the Report and Recommendation (ECF No. 23) is APPROVED and ADOPTED as the Opinion of the Court.

IT IS FURTHER ORDERED that the Plaintiff's motion for voluntary dismissal (ECF No. 19) is GRANTED. All claims against Defendant Bien are DISMISSED with prejudice.

IT IS FURTHER ORDERED that Defendant Bien's motion for summary judgment (ECF No. 12) is DISMISSED as moot

IT IS FURTHER ORDERED that Plaintiff's motion for leave to amend/correct his complaint (ECF No. 16) is GRANTED. The Clerk of Court shall accept the proposed document for filing.

Dated: April 13, 2018

/s/ Paul L. Maloney
Paul L. Maloney
United States District Judge